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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/459,644	12/13/1999	TAKASHI TSUNODA	862.3166	1438

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EXAMINER

CHUNG, DANIEL J

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 09/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/459,644

Applicant(s)

TSUNODA, TAKASHI

Examiner

Daniel J Chung

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 31-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 31-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Claims 31-45 are presented for examination. Claims 1-30 have been canceled and claims 31-45 have been added by the amendment filed on 7-3-2002. This office action is in response to the amendment filed on 7-3-2002.

Applicant is respectfully required to indicate the supporting paragraph of the disclosure of the invention for newly submitted claims 31-45. In Remarks, Applicant indicate that support for the new claims can be found beginning on p.14 line 22 of the specification, However, reduction means [reducing frame rate] and display control means [frame reduction upon inactive window] of recited independent claims 31,35,38 and 42 are apparently not supported by any of paragraph in specification. Examiner respectfully requests such paragraphs in the Specification. No new matter should introduce into the disclosure.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 31-32,34-36,38-39,41-43 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Tokunaga et al (5,968,132).

Regarding claim 31, Tokunaga et al discloses that the claimed feature of a display device capable of displaying first and second windows [i.e. 25-1,25-3] on a display screen, comprising: receiving means for receiving first image data to be displayed on the first window and second image data to be displayed on the second window, each of which are sequentially transferred from an external device in units of frames; reduction means for reducing m frames of image data received by receiving means to n frames of image data, wherein m is greater than n; and display control means for controlling display of the first image data without frame reduction on the first window and display of the second image data reduced by reduction means on the second window [no focus window] when the first window is an active window [focusing

window], and for controlling display of the first image data reduced by reduction means on the first window and display of the second image data without frame reduction on the second window when the second window is an active window. (See Fig 31, Fig 32, Fig 36, col 40 line 1-13, col 41 line 11-18, col 41 line 55-col 43 line 23, col 56 line 48-col 57 line 7)

Regarding claim 32, Tokunaga et al discloses that when there is no active window on display screen, the first image data without the reduction on the first window and the second image data without the reduction on the second window. (See Fig 31, Fig 32, Fig 36, col 41 line 55-col 43 line 23, col 56 line 48-col 57 line 7)

Regarding claim 34, Tokunaga et al discloses that a counter for outputting a signal when a counter value reaches a predetermined value, wherein reduction means performs a reduction of frames of image data to be displayed on the bases of the signal output from counter. (See Fig 31, Fig 32, Fig 36, col 41 line 55-col 43 line 23, col 56 line 48-col 57 line 7)

Regarding claims 35-36,38-39,41-43 and 45, claims 35-36,38-39,41-43 and 45 are similar in scope to the claims 31-32 and 34, and thus the rejections to claims 31-32 and 34 hereinabove are also applicable to claims 35-36,38-39,41-43 and 45.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33,37,40 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokunaga et al in view of Shishido (6,137,490).

Regarding claim 33, Tokunaga et al fails to teach that displays image data to be displayed on an active window at a higher luminance than a luminance of image data to be displayed on an inactive window. However, Shishido discloses that "changing the luminance of display of the first one of the display devices to a predetermined luminance level indicative of an inactive process, for changing the luminance of display of the second one of the display devices to a predetermined luminance level indicative of an active process." (See col 9 line 1-14, col 10 line 17-30) It would have been obvious to one skilled in the art to incorporate the teaching of Shishido into the teaching of Tokunaga et al, in order to provide efficient way to distinct between active window and inactive window, as such improvement is also advantageously desirable in the teaching of Tokunaga et al.

Regarding claims 37,40 and 44, claims 37,40 and 44 are similar in scope to the claim 33, and thus the rejection to claim 33 hereinabove is also applicable to claims 37,40 and 44.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday

and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc  
September 9, 2002

A handwritten signature in black ink, appearing to read 'M. Razavi', with a long horizontal line extending to the right.

**MICHAEL RAZAVI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**